

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

DAVID DAVIS,)	
)	Case Number:
Plaintiff)	
)	3:06-CV-0544-WHA
v.)	
)	
PHENIX CITY, ALABAMA, et al.)	
)	
Defendants.)	

PARTIES' REVISED RULE 26(f) REPORT

1. Pursuant to Fed. R. Civ. P 26(f), a telephone conference was held on August 22, 2007 and was attended by:

Douglas Steele for Plaintiff

James R. McKoon, Jr. and James P. Graham, Jr. for Defendants

2. **Pre-Discovery Disclosures.** The parties have previously exchanged the information required by Fed. R. Civ. P. 26(a)(1).

3. **Discovery Plan.** The parties jointly propose to the Court the following discovery plan:

Discovery will be needed on subjects including, but not limited to:

Issues related to statements made by Plaintiff that are germane to this action;

Issues related to potential damages, including, but not limited to Plaintiff's payroll records;

Issues related to potential disruption caused by Plaintiff's statements; and

Any defenses raised by Defendants.

All discovery commenced in time to be completed by December 7, 2007. Maximum of 30 interrogatories by each party to any other party. Responses shall be due 30 days after service.

Maximum of 30 requests for admission by each party to any other party. Responses shall be due 30 days after service.

Maximum of 12 factual depositions by Plaintiff and 12 factual depositions by Defendants.

Each deposition limited to maximum of 7 hours unless extended by agreement of parties.

Reports from retained experts under Rule 26(a)(2) shall be due from Plaintiff and Defendants on November 9, 2007.

Supplementations under Rule 26(e) due within 30 days of any party becoming aware that a supplementation is required.

4. **Other Items.**

The parties do not request a conference with the Court before entry of the scheduling order.

The parties request a pretrial conference on February 1, 2008.

All potentially dispositive motions should be filed no later than January 4, 2008.

Settlement cannot be evaluated at this time but may be enhanced by use of the following alternative dispute resolution procedure: mediation.

Final lists of witnesses and exhibits under Rule 26(a)(3) should be due from Plaintiff and Defendants on January 4, 2008.

Parties should have 14 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

The case should be ready for trial by March 3, 2008 and at this time is expected to take approximately three days.

Dated this 23rd day of August, 2007.

/s/ Douglas L. Steele

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